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***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

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In re application of: Payne

Attorney Docket No.: NSC1P292/P05784

Application No.: 10/758,759

Examiner: Blevins, Jerry M.

Filed: January 15, 2004

Group: 2883

Title: HYBRID WAVEGUIDE

Confirmation No. 6398

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**CERTIFICATE OF EFS-WEB TRANSMISSION**

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on September 8, 2007.

Signed: /Laura M. Dean/  
Laura M. Dean

**NOTICE OF APPEAL**

Mail Stop AF  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed June 8, 2007 rejecting Claims 1-24.

The item(s) checked below are appropriate:

Appeal Fee: ☐ \$250.00 (Small Entity) ☒ \$500.00 (Large Entity)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply:

☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

	<u>Months</u>	<u>Large Entity</u>	<u>Small Entity</u>
<input type="checkbox"/>	one	\$120.00	\$ 60.00
<input type="checkbox"/>	two	\$450.00	\$225.00
<input type="checkbox"/>	three	\$1,020.00	\$510.00

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for \_\_\_\_\_ month(s) has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Total Fee Due

Notice of Appeal Fee	\$500.00
Extension Fee (if any)	\$
Total Fee Due	\$500.00

☐ Enclosed is Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.

☒ The Commissioner is authorized to charge the required fees or credit any overpayment to Deposit Account No. 500388, (Order No. NSC1P292).

Respectfully submitted,  
BEYER WEAVER LLP

/James W. Rose/  
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